

3-6-1990

Forest Protection. Timber Harvesting. Bond Act.

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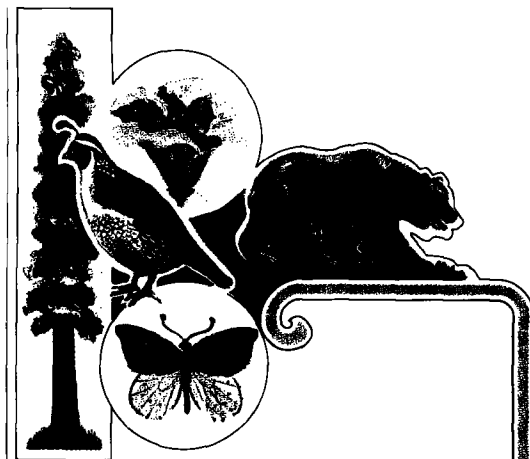
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State of California

OFFICE OF THE SECRETARY OF STATE

June 13, 1990

TO: All County Clerks/Registrars of Voters (90119)



Pursuant to Section 3523 of the Elections Code, I hereby certify that on June 13, 1990, the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute, FOREST PROTECTION. TIMBER HARVESTING. BOND ACT., has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE. is, therefore, qualified for the November 6, 1990 General Election.

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE. Authorizes 10-year state acquisition program, limited logging moratorium, to permit public acquisition of designated ancient forests providing wildlife habitat. Requires wildlife surveys, mitigation measures. Limits logging sites, including those near waterways. Requires state-funded compensation, retraining program for loggers displaced by new regulations, acquisitions. Authorizes general obligation bond issue of \$742,000,000 to fund acquisition, other provisions. Limits timber cutting practices, burning of forest residues, on California timberlands. Mandates sustained yield standards. Imposes new timber harvesting permit fees. Revises Board of Forestry membership. Discourages foreign export of forest products. Imposes penalties for violations. Summary of estimate of Legislative Analyst and Department of Finance of fiscal impact on state and local governments: State General Fund costs of \$742 million in bond principal, \$584 million in projected bond interest for acquisition of ancient forest stands, funding of employment compensation program. Annual costs of \$3.4 to \$10 million for increased timber harvesting plan review and subsequent monitoring, fully offset by fees. Annual savings to state of approximately \$6.4 million due to shift of timber harvest plan review cost from state to private timber companies. Unknown state and local revenue losses to extent reductions occur in timber harvesting. Unknown potential state revenue losses from lumber sales restrictions, unknown state costs or savings due to restrictions on purchase of finished lumber products. Probable reduction in Proposition 98 transfers of "excess revenues" to K-14 education.



IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California
this 13th day of June, 1990.

March Fong Eu

MARCH FONG EU
Secretary of State



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

#518

March 6, 1990

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (90041)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**FOREST PROTECTION. TIMBER HARVESTING. BOND ACT.
INITIATIVE STATUTE.**

Circulating and Filing Schedule

1. Minimum number of signatures required.....372,178
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Tuesday, 03/06/90
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Tuesday, 03/06/90
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All sections are to be filed at
the same time within each
county.....Friday, 08/03/90+
Elec. C., Secs. 3513, 3520(a)
 - c. Last day for county to determine total number of
signatures affixed to petition and to transmit total
to the Secretary of State
.....Friday, 08/10/90

(If the Proponent files the petition with the county on a date prior to 08/03/90, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

- + NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 6, 1990 GENERAL ELECTION: The law allows approximately 107 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 107 days. However, if you want to be sure that this initiative qualifies for the November 6, 1990 General Election, you should file this petition with the county before March 23, 1990.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties
.....Sunday, 08/19/90**
- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State
.....Tuesday, 09/11/90
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 08/10/90, the last day is no later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures
.....Friday, 09/21/90**
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State
.....Monday, 11/05/90
- (If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 09/11/90, the last day is no later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient
.....Friday, 11/09/90

**Date varies based on receipt of county certification.

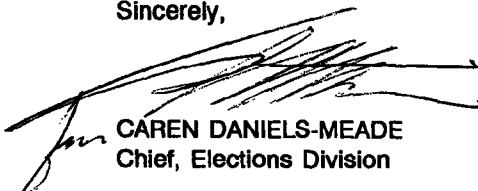
4. The Proponent of the above-named measure is:

Thomas Lippe
Towner and Lippe
90 New Montgomery Street, Suite 1400
San Francisco, CA 94105
(415) 495-2800

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



CAREN DANIELS-MEADE
Chief, Elections Division

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

March 6, 1990

(916) 324-5508

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

FILED
In the office of the Secretary of State
of the State of California

MAR 06 1990

MARCH FONG EU, Secretary of State

By

[Signature]
Deputy

Dear Mrs. Eu:

Initiative Title and Summary

Subject: FOREST PROTECTION. TIMBER HARVESTING.
BOND ACT. INITIATIVE STATUTE.

Our File No. SA 90 RF 0014

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Mary Whitcomb

MARY WHITCOMB
Initiative Coordinator

MW:ckm

Enclosures

Date: March 6, 1990
File No.: SA 90 RF 0014

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE. Authorizes 10-year state acquisition program, limited logging moratorium, to permit public acquisition of designated ancient forests providing wildlife habitat. Requires wildlife surveys, mitigation measures. Limits logging sites, including those near waterways. Requires state-funded compensation, retraining program for loggers displaced by new regulations, acquisitions. Authorizes general obligation bond issue of \$742,000,000 to fund acquisition, other provisions. Limits timber cutting practices, burning of forest residues, on California timberlands. Mandates sustained yield standards. Imposes new timber harvesting permit fees. Revises Board of Forestry membership. Discourages foreign export of forest products. Imposes penalties for violations. Summary of estimate of Legislative Analyst and Department of Finance of fiscal impact on state and local governments: State General Fund costs of \$742 million in bond principal, \$584 million in projected bond interest for acquisition of ancient forest stands, funding of employment compensation program. Annual costs of \$3.4 to \$10 million for increased timber harvesting plan review and subsequent monitoring, fully offset by fees. Annual savings to state of approximately \$6.4 million due to shift of timber harvest plan review cost from state to private timber companies. Unknown state and local revenue losses to extent reductions occur in timber harvesting. Unknown potential state revenue losses from lumber sales restrictions, unknown state costs or savings due to restrictions on purchase of finished lumber products. Probable reduction in Proposition 98 transfers of "excess revenues" to K-14 education.

SA90RF0014

Law Offices
Towner & Lippe

90 New Montgomery Street / Suite 1400 / San Francisco, California 94105

Telephone 415-495-2800

Fax 415-546-4998

Bruce M. Towner
Thomas N. Lippe

March 2, 1990

Attorney General John Van de Kamp
Attention: Mary Whitcomb
1515 K Street, Suite 511
Sacramento, CA 95814

RECEIVED
MAR 02 1990
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Mr. Van de Kamp:

Attached is the text of a substantive initiative statute and a certified check for \$200.00. Please prepare a title and summary for the initiative. The proponent for the initiative is:

Thomas Neil Lippe
2127 Essex Street
Berkeley, CA. 94705

Please send any notices or correspondence regarding this initiative to my mailing address:

Thomas Lippe
Towner and Lippe
90 New Montgomery
San Francisco, CA. 94105

If you have any questions, please contact me at (415) 495-2800.

Thank you.

Sincerely,



Thomas Neil Lippe

Enclosure

nrdc.30

Forests Forever Initiative
Submitted March 2, 1990

The People of California by Initiative Do Enact As Follows:

Section One. Title. This Initiative shall be known as the Forest and Wildlife Protection and Bond Act of 1990.

Section Two. Part 2.7, Chapter 1, commencing with section 4800, is hereby added to Division 4 of the Public Resources Code, to read as follows:

Article I. General Provisions.

Section 4800. This chapter shall be known as the Forest and Wildlife Protection and Bond Act of 1990.

Section 4801. Findings and Declarations. The People hereby find and declare all of the following:

(a) California's remaining ancient forests are a unique and irreplaceable natural resource and are valuable for biological, scientific, recreational, aesthetic, and other important reasons. Such forests provide clean water, clean air, and healthy watersheds, and help to reduce global warming. Forests and the wildlife that inhabit them also have inherent worth.

(b) The vast majority of California's ancient forests have already been logged, and it can take several hundred years or more for a logged forest to acquire ancient forest characteristics and to provide habitat for species which require such conditions.

(c) Numerous species of animals and plants in California depend upon ancient forests for important habitat, and many of these species are in danger of extinction if logging of ancient forests continues.

(d) Biological diversity is essential to the long-term health of ecosystems and is critical to a high quality environment for future Californians. Acquiring and protecting the remaining ancient forests and establishing sustainable practices in all forests will not only promote biological diversity, but will also set an important national and international example of the steps necessary to prevent deforestation worldwide.

(e) Existing laws have failed to prevent widespread logging abuses on private lands, including destruction of ancient forests, degradation of water quality and wildlife habitat, and high levels of soil erosion. A new approach to forestry practices is necessary to protect California's forests and to insure that the forest products industry is sustainable over the long term.

(f) In order to reduce soil erosion and degradation of water quality and fish habitat and to provide forest habitat for many wildlife and plant species that depend upon healthy riparian

areas, it is necessary to restrict logging operations near streams and lakes.

(g) Clearcutting and related logging methods have been severely abused on private lands and have caused accelerated soil erosion, declines in soil productivity, destruction of watersheds, reduction of biological diversity, and elimination of habitat for many species of wildlife. A shift to selection logging will greatly reduce these adverse impacts and will promote sustainable forestry practices throughout California.

(h) The long term goal of insuring a sustained yield from California timberlands has been acknowledged by the Legislature to be an important principle to achieve, but little progress has been made in reaching this goal. A new regulatory program is necessary in order to insure that private and state timberlands are not logged at higher than sustainable levels.

(i) A shift to sustainable forestry practices will stabilize rural economies, enhance investments in forest industries, guarantee future employment, and provide a long term competitive advantage for California forest products. Sustainable forestry practices will also prevent the rapid depletion of forest inventories that has resulted from financial speculation and corporate takeovers of timber companies.

(j) It is the policy of the State of California to discourage to the greatest extent possible the practice of exporting to foreign nations whole logs and cants originating from California forests. Such exports cause a major loss of California jobs. The People of California urge the Congress of the United States to promptly prohibit such exports.

(k) It is necessary to reform the composition of the Board of Forestry in order to insure that the Board represents and has expertise in a broader range of values that are affected by logging operations, particularly environmental and wildlife values.

(l) Because the acquisition of ancient forests may result in the layoff or termination of some timber workers, it is desirable to create a program that will compensate and retrain such employees.

Section 4802. Purposes and Intent. It is the intent of the People of California that this Act be construed in light of the following primary objectives:

(a) To acquire and protect the most important ancient forests remaining on private lands and to provide habitat for wildlife species that are dependent upon such forests;

(b) To improve logging practices throughout the state by protecting streams, limiting the use of clearcutting, requiring sustainable forestry practices, reforming the Board of Forestry, and other means provided in this Act;

(c) To retrain and otherwise compensate timber workers who may be adversely affected by this Act;

(d) To provide the maximum protection to the natural environment within the reasonable scope of the statutory language; and

(e) To insure that decisions affecting forests and wildlife are based on the best available biological information.

It is the further intent of the people of California that this Act shall be carried out in the most expeditious manner possible, and all state officials shall implement this Act to the fullest extent of their authority.

Article II. Definitions.

Section 4803. For the purposes of this chapter and of the Z'berg-Nejedly Forest Practices Act of 1973 the following terms shall be defined as follows:

(a) "Ancient forests" means:

- (1) forests that contain an average of at least six live trees per acre greater than 200 years of age, which often contain a wide range of tree ages and sizes, large dead standing and fallen trees, and multi-layered canopies, and that are forty or more acres in size, either alone or in conjunction with any contiguous stand, regardless of ownership; or
- (2) forests in which one or more dependent wildlife species are present and that are ten or more acres in size, either alone or in conjunction with any contiguous stand, regardless of ownership.

For purposes of this definition, dependent bird species are "present" only in their home and wintering territories, the northern goshawk is "present" only in its breeding territory, and other species are "present" wherever they occur.

(b) "Class I watercourse or lake" means a watercourse or lake which is a domestic water source, which is within three hundred feet upstream of such a source, or which provides habitat for fish.

(c) "Class II watercourse or lake" means a watercourse or lake, other than a Class I watercourse or lake:

- (1) Within one thousand feet upstream of a watercourse or lake which provides habitat for fish, excluding direct tributaries to a Class I watercourse or lake which have no aquatic life present, or
- (2) Which provides habitat for aquatic species other than fish.

(d) "Clearcutting" means the timber harvest method in which sixty percent or more of the timber volume of an area greater than two and one-half (2 1/2) acres in size is logged at one time. This definition includes some harvest methods commonly referred to as "seed tree" and "shelterwood removal" methods.

(e) "Dependent wildlife species" are native species or subspecies of birds, mammals, reptiles, amphibians, insects or arthropods that find optimum habitat for at least part of their life cycle in forests with the structural characteristics

described in Section 4803 (a)(1), and whose population has declined or is declining in part or all of the state as the result of the logging of such forests. "Dependent wildlife species" include the following species or subspecies: Fisher; Red Tree Vole, including any closely related taxon presently or subsequently segregated from this species; Northern Spotted Owl; California Spotted Owl; Southern Spotted Owl; Flammulated Owl; Marbled Murrelet; Northern Goshawk; Olympic Salamander; Del Norte Salamander; Tailed Frog; Pine Marten; Wolverine; and any other species or subspecies subsequently added to this list pursuant to Section 4806.12(a). Dependent wildlife species are not "game" within the meaning of the California Constitution.

(f) "Emergency sanitation cutting" means logging of diseased or pest-infested timber necessary to control the spread of disease or insect pests to healthy trees.

(g) "Erosion hazard rating" refers to the classification system set forth in regulations implementing the Z'berg-Nejedly Forest Practices Act of 1973.

(h) "Eucalyptus plantation" means a forest which contains ninety (90) percent or more by volume of the genus Eucalyptus and which was established before the effective date of this Act.

(i) "Fiber plantation" means any area planted with trees which was not natural timberland as of 1940.

(j) "Logging road" means any private road used in conducting timber operations which is constructed or reconstructed. A "constructed" or "reconstructed" road has any of the following: surfacing, drainage structures, or intentional soil disturbance.

(k) "Mature trees" means trees which have reached or exceeded the age at which maximum mean annual growth, also known as culmination of mean annual increment, occurs on a particular site, using the Scribner log rule measurement or, if not possible, the most nearly equivalent methodology. The age at which trees reach maturity will depend upon site class, timber type, and other site-specific factors.

(l) "Selection method" means a timber harvest method in which individual trees or groups of trees no larger than two and one-half (2 1/2) acres in size are selected for logging in a way that will promote natural regeneration of mature trees, in which a well distributed stand of healthy trees remains following completion of logging operations, and after which the area is composed of trees of various ages, sizes and species.

(m) "Seep" or "spring" means an area, excluding the bed of a watercourse but including the head of a watercourse, where water naturally flows or rises to the surface during much or all of the year, and at which water remains at least within a few feet of the surface throughout the year. The presence of Giant Chain Fern (*Woodwardia fimbriata*) often indicates the existence of a spring or seep.

(n) "Stand of virgin redwoods" means a forested area one hundred fifty or more acres in size that has never been subject

to timber harvesting, in which coast redwoods constitute twenty percent or more of the basal area per acre.

(o) "Timber volume" means the volume of all softwoods and all hardwoods, including both commercial and non-commercial tree species, that are at least 4 inches in diameter at breast height of the largest bole, using the Scribner log rule measurement or, if not possible, the most nearly equivalent methodology.

(p) "Watercourse" means any well-defined channel with distinguishable bed and bank showing evidence of having contained flowing water indicated by deposit of rock, sand, gravel, or soil, including but not limited to a "stream" as defined in Section 4528(f) of the Public Resources Code.

Article III. Forest Practices.

Section 4804. The provisions of this article apply to the practice of forestry on privately-owned timberlands and state forests in California.

Section 4804.1.

(a) Subject to the provisions of this Section, clearcutting is prohibited in California, and the selection method shall be the only allowable harvest method.

(b) This Section does not apply to timber operations pursuant to a timber harvesting plan approved prior to the effective date of this Act if, prior to the effective date of this Act, substantial liabilities for timber operations have been incurred in good faith and adherence to this Section would cause unreasonable additional expense to the owner or operator.

(c) The prohibitions on clearcutting in this Section do not apply to:

- (1) The harvest of Christmas trees, Eucalyptus plantations or fiber plantations;
- (2) Authorized emergency sanitation cutting;
- (3) Salvage of dead trees;
- (4) Lands that have been approved for conversion to uses other than growing timber pursuant to Article 9 of the Z'berg-Nejedly Forest Practice Act of 1973;
- (5) Fire breaks, fuel breaks and rights-of-way; and
- (6) In the Northern and Southern Forest Districts harvesting areas up to 5 acres in size in Lodgepole Pine, Ponderosa Pine and Sierran Mixed Conifer cover types, as defined in the July 1988 assessment and analysis prepared pursuant to Section 4789.3, where the Department of Forestry finds that clearcutting would cause less adverse environmental impacts than the selection method on a particular site.

Provided, however, that exception (3) shall not apply in any ancient forest as defined in Section 4803(a).

(d) Except as provided in subsections (b) and (c)(1)-(5), after the completion of logging operations pursuant to a timber harvesting plan, not more than twenty percent of the area subject to the plan may be in clearings that are greater than 1/2 acre in size. No cutting or removal of timber in any area subject to a timber harvesting plan may occur more often than every ten years, except where necessary to conduct emergency sanitation cutting or to salvage dead or dying trees. For purposes of this subsection, a "clearing" is an area in which sixty percent or more of the volume of the area is logged at one time.

Section 4804.2.

(a) The Board of Forestry shall issue regulations within one year of the effective date of this Act in order to reduce, to the maximum extent feasible, the adverse environmental impacts that may result from the burning of forest residues after logging operations are completed, including decreased soil productivity, increased soil erosion, and contributions to global warming associated with release of smoke. The regulations shall also provide effective protection against the adverse health effects of smoke. After the effective date of such regulations, no burning of forest residues may occur except in compliance with the regulations.

(b) The regulations shall require the Department of Forestry to inspect all sites subject to timber harvesting plans before burning is undertaken. No such burning shall be allowed unless the Department finds that it is necessary to eliminate an unreasonable risk of wildfire or to insure adequate site regeneration and that no alternatives to burning, such as removing fuel from the site or lopping or chipping of fuel on site, are feasible. No such burning may be allowed for the purpose of convenience or improving access to the site for planting.

(c) The regulations shall require the Department to specify permissible conditions for burning, including but not limited to date and time of burning, wind, temperature, humidity and other climatic factors, which will, to the maximum extent feasible, insure that sufficient organic debris and duff remain on the site to retain nutrients and soil productivity, prevent soil erosion, and reduce the cumulative impacts of smoke pollution.

(d) The regulations shall encourage the use of alternatives to burning that will retain nutrients and soil productivity and reduce, to the maximum extent feasible, soil erosion and the release of smoke.

Section 4804.3. The Board of Forestry shall issue regulations within one year of the effective date of this Act which will minimize the damage to the environment caused by logging roads and landings and allow such roads to be used for suppressing fires. The regulations shall insure compliance with the following minimum requirements:

(a) All logging roads shall be adequately maintained by the timberland owner or his or her agent for as long as the land has timber production as a continuing or anticipated use.

(b) Any logging road or landing that will not be used for future timber harvest shall be promptly restored as productive timberland, except where the lands have been approved for conversion to uses other than growing timber pursuant to Article 9 of the Z'berg-Nejedly Forest Practice Act of 1973.

(c) Any contract or other agreement that provides access to a logging road on lands not owned by the timberland owner shall provide a clear delegation of responsibility for compliance with this Section and the regulations.

Section 4804.4. The regulations described in Sections 4804.2 and 4804.3 shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.

Section 4804.5.

(a) Tractor logging shall not be allowed on any of the following:

- (1) Slopes over 65 percent.
- (2) Slopes over 50 percent except on pre-existing logging roads which do not require reconstruction.
- (3) Any area having an extreme erosion hazard rating.

(b) No area which has a high erosion hazard rating may be entered by tractors or other ground disturbing equipment more often than every twenty years in cutting or removing timber.

Section 4804.6. No person may remove any dead tree or coarse woody debris, excluding slash, from any watercourse unless such removal would eliminate barriers to fish migration, reduce the amount of sedimentation entering the watercourse, reduce any hazard to structures or to public health or safety, or reduce the risk of flooding.

Section 4804.7.

Notwithstanding Sections 4804.1 and 4805.2, any person who, after the effective date of this Act, does not sell for foreign export whole logs or cants originating within the State, or sell any whole logs or cants originating within the State to any person who sells such products for foreign export, may either

(a) Within five years after the effective date of this Act, use the clearcutting harvest method, subject to all of the following conditions:

- (1) The timber operations are not conducted within an ancient forest.
- (2) Any clearcut is no greater than ten acres in size.
- (3) Any clearcut is at least three hundred feet from any other area ten acres or greater in size that has been clearcut in the past forty years on the same ownership and is at least one hundred fifty feet from any property boundary.

- (4) Not more than twelve and one-half (12 1/2) percent of any area subject to a timber harvesting plan may be clearcut during the five year period.

or

(b) Log, during the first ten-year period on the lands subject to a sustained yield plan, a volume of timber thirty percent more than the total volume of timber grown.

Article IV. Sustainable Forestry.

Section 4805. Within two years of the effective date of this Act, the Board of Forestry shall adopt regulations to implement a sustainable forestry program for private and State lands as established in this Article. The regulations shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.

Section 4805.1. No timber harvesting plan may be approved, and no timber operations may occur, on or after the effective date of the regulations, unless:

- (a) a sustained yield plan, prepared by a registered professional forester, has been filed by the timber owner;
- (b) the sustained yield plan has been approved by the Director of the Department of Forestry and Fire Protection; and
- (c) the timber harvesting plan and timber operations comply with the sustained yield plan.

The regulations shall apply equally to the cutting and sale of timber and other forest products from state forests, as provided in Article 3 of Chapter 9 of Part 2 of Division 4 of the Public Resources Code. The Board shall determine the effective date of the regulations, which shall be not later than 180 days after the regulations are adopted.

Section 4805.2.

(a) In any ten-year period on the lands subject to a sustained yield plan, the total volume of timber logged shall not exceed the total volume of timber grown and the volume of mature trees logged shall not exceed the volume of mature trees grown, unless site-specific data demonstrate that logging a greater volume would achieve maximum productivity sooner.

(b) In any ten-year period, when the lands subject to a sustained yield plan do not have maximum productivity, the total volume of timber logged on such lands shall be less than the total volume of timber grown and the volume of mature trees logged shall be less than the volume of mature trees grown, unless site-specific data demonstrate that logging a greater volume would achieve maximum productivity sooner.

(c) For purposes of this Article, "maximum productivity" means that the area subject to a sustained yield plan is producing the maximum growth (timber volume per year) that is sustainable in perpetuity, and that the area contains trees of various ages and sizes, including a sustainable component of

mature trees. In determining maximum productivity, trees that have exceeded the age at which maximum mean annual growth occurs may be deemed to be at the age at which maximum mean annual growth occurs. The regulations shall establish guidelines for determining a site's maximum productivity, based on site class, timber type, and other site-specific and general factors, as appropriate.

(d) For purposes of subsection (a) and (b), the first ten-year period shall begin no later than the effective date of this Act, unless no timber harvesting plans are submitted during this period.

Section 4805.3.

(a) The implementation period is the time necessary for the lands subject to a sustained yield plan to acquire maximum productivity, while allowing the timber owner to conduct timber operations consistent with this Article. The regulations shall establish a method for timber owners to determine the implementation period for a sustained yield plan based on site class, species composition, and other relevant factors. The implementation period shall not exceed 150 years, or less if feasible, except that where the species in the lands subject to a plan require more than 120 years to reach maturity, based on a weighted average by basal area of the species occupying more than 10 percent of the area, the implementation period may be extended by the amount of time by which the time to reach maturity exceeds 120 years.

- (b) (1) During the implementation period, the regulations shall allow continued timber operations, including logging of trees that have not reached maturity to the extent consistent with this Article, while encouraging timber owners to allow trees to reach maturity before they are logged so that regular progress is made toward the goal of a stand that has maximum productivity.
- (2) After the implementation period ends, the lands subject to the sustained yield plan shall have maximum productivity, with the exception of short-term volume reductions that will occur after any timber operations that are consistent with this Article.

Section 4805.4. Sustained yield plans shall comply with the following requirements:

(a) The plan shall set forth a proposed logging schedule, which may include thinnings and regeneration harvests, that complies with this Article.

(b) The plan shall demonstrate, based on site-specific timber inventory data, growth and yield calculations, timber growth plots, or other necessary data, that the proposed logging schedule complies with this Article.

(c) The plan shall provide that, when the lands subject to the sustained yield plan do not have maximum productivity, the volume of all timber and the volume of mature timber increases regularly during the entire implementation period, with the exception of short-term volume reductions that will occur after any timber operations that are consistent with this Article.

(d) The plan shall be designed to produce, at the end of the implementation period, and sooner if feasible, a forest containing trees of various ages and sizes and a mix of species native to the site.

(e) The timber owner may determine which timberlands or timber rights will be subject to any sustained yield plan, provided that all such lands and rights shall be located within one county. The timber owner may elect to file one or more plans for all timberlands or timber rights within any county.

(f) There shall be only one sustained yield plan for an area, irrespective of any changes of ownership, except that a plan covering a larger area may incorporate by reference a plan for a smaller area.

Section 4805.5. The sustained yield plan shall be revised from time to time in order to reflect actual forest conditions or to allow changes in the proposed logging schedule that are consistent with this Article, provided that any such changes must be justified in writing and must comply with all the requirements of this Article. The plan may be revised when some or all of the timber to which it applies is destroyed by wildfire or other natural catastrophe; provided, however, that any dead or dying trees removed from such site shall be charged against the output allowed by the revised plan. If ten percent or more of the timber is so destroyed, the Director of the Department of Forestry and Fire Protection may extend the implementation period for compliance with this Article if necessary in order to allow reasonable use of the lands consistent with the objectives of this Article.

Section 4805.6. Notwithstanding any other provision in this Article, any person who, on the effective date of this Act, owns or controls no more than 5,000 acres of timberlands or timber rights within any district (as described in Section 4531) shall not be required to comply with Section 4805.2 with respect to such lands, but shall otherwise comply with this Article. The regulations may provide simplified rules to allow such persons to comply with this Article without unreasonable cost or delay.

Section 4805.7. Nothing in this Article shall be interpreted to require that trees be logged at any time.

Section 4805.8.

(a) The Director shall promptly provide a copy of any sustained yield plan to any person who requests it.

(b) After the regulations are issued, the Director shall prepare and make available to the public a handbook which explains the sustainable forestry program and facilitates compliance with the regulations and this Article.

Section 4805.9. The requirements of this Article shall not apply to the production and harvest of Christmas trees, to eucalyptus plantations, or to fiber plantations.

Article V. Ancient Forest Acquisition and Management.

Section 4806. The Wildlife Conservation Board may utilize the eminent domain authority of the State of California to acquire ancient forests pursuant to this Article, and shall utilize such authority whenever necessary to purchase a forest that has been selected for acquisition. Where necessary to protect such forest, the Wildlife Conservation Board shall utilize the procedures for possession prior to judgment specified in Article 3 of Chapter 6 of Title 7 of Part 3 of the Code of Civil Procedure.

Section 4806.1. Before exercising its eminent domain authority, to the extent feasible, the Wildlife Conservation Board shall consider acquiring ancient forests through gifts, purchases, leases, exchanges for other property of like value, transfers of development rights or credits, and purchases of development rights and other interests; provided, however, that the Wildlife Conservation Board shall not acquire any interests in ancient forests less than fee title unless such interests fully protect the ecological integrity of such forests in perpetuity.

Section 4806.2. Lands and interests acquired by the Wildlife Conservation Board pursuant to this Article shall be transferred either to the State Park and Recreation Commission, for management as a state park, state reserve, or state wilderness, or a natural preserve within any such unit, pursuant to Article 1.7 of Chapter 1 of Division 5 of the Public Resources Code, or to the Department of Fish and Game for management as ecological preserves, pursuant to Section 1580 of the Fish and Game Code, notwithstanding the provisions of Section 1582 of that Code; provided, however, that in all cases such lands and interests shall be managed in perpetuity to preserve their integrity and value as ancient forests and as habitat for dependent wildlife species.

Section 4806.3.

(a) The Wildlife Conservation Board may acquire lands or rights, other than those specified in Section 4806.4, only to the extent necessary to allow the Board to acquire ancient forests at lower cost than through exercise of its eminent domain authority. Notwithstanding Section 4806.2, any lands or rights so acquired may be sold or exchanged for fee title or lesser interests in ancient forests. Any net proceeds from such sale or exchange shall be utilized for the acquisition of ancient forests as specified in this Article.

(b) Any real property acquired pursuant to this Act shall be acquired in compliance with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code.

Section 4806.4. The Wildlife Conservation Board shall acquire, as expeditiously as possible and in accordance with the Property Acquisition Law:

(a) The Headwaters Forest, as described in Section 4806.10(a).

(b) Stands of virgin redwoods, as defined in Section 4803(n).

(c) Other ancient forests, according to the priorities established pursuant to this Article. When acquiring an ancient forest, the Board may also acquire contiguous or intermingled lands, the acquisition of which would protect the ecological integrity of the ancient forest or make the area more manageable, or lands or rights necessary to provide reasonable access to the ancient forest. For purposes of this section, "acquire" means either to enter into a binding purchase agreement or to initiate eminent domain proceedings that protects the ecological integrity of such ancient forests. The lands specified in subsections (a) and (b) shall be acquired as quickly as feasible, and no later than November 7, 1991, if at all possible; provided, however, that the Board shall not delay acquisition of lands specified in subsection (c) while the lands specified in subsections (a) and (b) are being acquired.

Section 4806.5. The Wildlife Conservation Board shall rank ancient forests according to the Board's acquisition priorities, either individually or by category. In determining such priorities, the Board shall make findings with respect to the following factors:

- (a) The size of the ancient forest;
- (b) The extent to which the forest provides actual or potential habitat for dependent wildlife species, including its importance to populations of such species;
- (c) The extent to which the forest has been free of disturbance from roads or timber operations;
- (d) The extent to which the forest contributes to biological diversity, including, but not limited to, the extent to which the forest's vegetation types or other features are

inadequately represented in existing state or federal preserves, such as wilderness areas and parks;

(e) The extent to which the forest's integrity has been compromised by fragmentation of surrounding landscapes; and

(f) The importance of the forest as a potential biological corridor or habitat island that may facilitate movement or dispersal of wildlife and plants.

In weighing such factors, the Board shall give high priority to acquiring forests 80 acres or larger that have never been logged, and ancient forests 400 acres or larger, unless the Board finds that a particular area does not provide important habitat for dependent wildlife species, that acquiring such an area would not contribute significantly to protection of biological diversity, or that the other factors listed above do not justify acquisition of such area.

Section 4806.6. The Wildlife Conservation Board's acquisition priorities and decisions shall be based solely on the best available biological data and shall not be based on commercial or economic factors, except that the anticipated cost of acquiring a site may be considered in relation to its potential for furthering the purposes of this Act.

Section 4806.7. The Wildlife Conservation Board shall comply with the procedures described in this Section when ranking ancient forests pursuant to Section 4806.5. Such ranking shall not be deemed a "regulation" within the meaning of the Administrative Procedure Act.

(a) Within 15 months of the effective date of this Act, and not less than annually thereafter until the Ancient Forest Protection Fund terminates, as provided in Section 4807.8, the Board shall:

- (1) assemble a record consisting of all information relevant to the factors listed in Sections 4806.4 and 4806.5 which it has gathered or acquired for any ancient forests, including any intermingled and contiguous lands and lands providing access to such forests;
- (2) make the findings required by Section 4806.5 and propose a ranking for all such forests concerning which it has information; and
- (3) prepare a summary explanation of the rationale for its proposed ranking.

The proposed ranking, findings, and summary explanation shall be mailed to all persons who have requested such information. The record shall be continuously maintained by the Board and shall be made available to the public for inspection and/or copying.

(b) The Board shall accept written comments on its proposed ranking and findings for 60 days from the date the information is made available to the public. Within 60 days of the close of the comment period, the Board shall affirm or modify its findings, reach a final decision on ranking, and prepare a summary

explanation of the rationale for its decision. Such information shall be mailed to all persons who submitted written comments and to all others who have requested notice of the decision. The notice shall notify the public of its right to petition the Board for amendment of the established ranking and to seek judicial review of the Board's decision.

(c) Any person may at any time petition the Board for amendment of the established ranking. The petition shall be in writing and shall clearly and concisely state why amendment would serve the purpose of this Article, and may provide supporting information. Within 30 days of receipt of any such petition, the Board shall mail a response denying the petition and summarizing its reasons for doing so, or setting a date not later than 90 days from receipt of the petition for initiating the process to consider such amendment. Any such amendment may be adopted only pursuant to the procedures established in subsections (a) and (b).

Section 4806.8.

- (a) (1) The Department of Fish and Game shall conduct an inventory of the state's private timberlands to identify ancient forests for possible acquisition. The results of such inventory shall be presented in a report not later than one year after the effective date of this Act, and annually thereafter for five years, or until the Ancient Forest Protection Fund terminates as provided in Section 4807.8, whichever is sooner.
- (2) The reports shall identify the location of each such ancient forest, including a map and legal description, shall include information relating to the factors set forth in Section 4806.5, and shall contain the Department's recommendations for acquisition priorities; provided, however, that for ancient forests which the Department finds, based on all of the factors set forth in Section 4806.5, to be a low priority for acquisition, the Department may instead describe such forests and its reasons in summary form.
- (3) The Department shall first inventory those forests that, based on available information, appear to provide important habitat for dependent wildlife species.

(b) The Department of Fish and Game may conduct all surveys, inventories, studies, or other activities that are reasonably necessary to complete the reports and to formulate recommendations for acquisition priorities. All such activities shall be based on the best available scientific information and shall utilize prevailing scientifically accepted protocols and procedures. The Department may enter onto private lands under reasonable terms and conditions in order to comply with this Section, after adequate notice has been given to the landowner.

The Wildlife Conservation Board may request that the Department undertake any studies or obtain any information reasonably necessary to allow the Board to reach a decision on acquisition or acquisition priorities, and the Department shall respond to such requests as expeditiously as possible.

(c) Notwithstanding Article VIII, the actions authorized in this Section shall only be subject to judicial review in the context of a legal challenge to the Board's acquisition priorities or decisions.

Section 4806.9. The Wildlife Conservation Board shall rank and consider for acquisition, pursuant to the process described in this Article, ancient forests referred by the Department of Fish and Game pursuant to Section 4582.71. The Board may consolidate its decisions on several ancient forests, but in all cases the Board shall reach a decision no later than one year after filing of the timber harvesting plan. The Board may decide: (1) to acquire the forest; (2) not to acquire the forest; or (3) to delay the decision for a year if necessary to obtain additional information regarding the forest or other acquisition priorities; provided, however, that in all cases the Board shall reach a final decision within two years of the filing of the timber harvesting plan.

Section 4806.10.

(a) The Wildlife Conservation Board shall immediately acquire the Headwaters Forest, situated in Humboldt Base and Meridian, Township Three North, Range One East, Section 8, W 1/2 of SW 1/4, SE 1/4 of SW 1/4, SW 1/4 of SE 1/4; Section 15, SW 1/4; Section 16; Section 17, E 1/2, NW 1/4, NE 1/4 of SW 1/4, E 1/2 of NW 1/4 of SW 1/4, E 1/2 of SE 1/4 of SW 1/4; Section 20, NE 1/4 of NE 1/4, N 1/2 of NW 1/4 of NE 1/4, SE 1/4 of NW 1/4 of NE 1/4, E 1/2 of SE 1/4 of NE 1/4, W 1/2 of SW 1/4 of NE 1/4, SE 1/4 of NW 1/4, E 1/2 of SE 1/4, W 1/2 of NW 1/4 of SE 1/4, SE 1/4 of NW 1/4 of SE 1/4, NE 1/4 of SW 1/4 of SE 1/4, E 1/2 of NE 1/4 of SW 1/4; Section 21, N 1/2 of NE 1/4, SW 1/4 of NE 1/4, N 1/2 of SE 1/4 of NE 1/4, NW 1/4, NW 1/4 of NW 1/4 of SE 1/4, N 1/2 of NE 1/4 of SW 1/4, W 1/2 of SW 1/4; Section 22, SW 1/4 of NE 1/4, W 1/2 of SE 1/4 of NE 1/4, SE 1/4 of SE 1/4 of NE 1/4, W 1/2 of NE 1/4 of NW 1/4, NW 1/4 of NW 1/4, SE 1/4 of NW 1/4, E 1/2 of SW 1/4 of NW 1/4, N 1/2 of SE 1/4, SE 1/4 of SE 1/4, N 1/2 of SW 1/4 of SE 1/4, NE 1/4 of SW 1/4, E 1/2 of NW 1/4 of SW 1/4, N 1/2 of SE 1/4 of SW 1/4; Section 23, SW 1/4 of SW 1/4, W 1/2 of NW 1/4 of SW 1/4; Section 26, W 1/2 of NW 1/4; Section 27, E 1/2 of NE 1/4, NW 1/4 of NE 1/4, W 1/2 of SW 1/4 of NE 1/4; Section 28, N 1/2 of NW 1/4 of NW 1/4; Section 29, NE 1/4 of NE 1/4 of NE 1/4; provided, however, that the Board need not acquire any portions of the Headwaters forest that, because of logging activities, have little or no value for dependent wildlife species. The Board may also acquire contiguous or intermingled lands, and other lands or rights necessary to provide reasonable access to the Headwaters Forest, as described in Section 4806.4.

(b) The Board shall immediately acquire any stands of virgin redwoods in the Elk River drainage in Humboldt County.

Section 4806.11. Notwithstanding any other provision of law, including but not limited to Article 5 of Chapter 4.5 of Division I of Title 7 of the Government Code, no timber operations, including but not limited to road construction, shall occur, and no timber harvesting plan authorizing such logging shall be approved, within any stand of virgin redwoods between November 7, 1990, and November 7, 1991, or until the Wildlife Conservation Board decides not to acquire such a stand, whichever is earlier.

Section 4806.12. The Department of Fish and Game may, by regulation:

- (a) (1) Add to the list of "dependent wildlife species" if the Department finds, based solely on the best available scientific data, that the species meets the definition in the first sentence of Section 4803(e).
- (2) Remove a species from the list of "dependent wildlife species" if the Department finds, based solely on the best available scientific data, that there is compelling evidence that such species does not meet the definition in the first sentence of Section 4803(e).

(b) Establish mitigation measures or informational requirements for timber harvesting plans to protect wildlife, including but not limited to dependent wildlife species, from the adverse effects of timber operations. Such rules may apply to particular timber types, tree ages, regions of the State, or other categories of forests. Such requirements may include, but shall not be limited to, information regarding existing numbers and sizes of live trees, snags, and dead and down wood on the site, and requirements regarding the amount and locations of such features or other structural characteristics that must remain after timber operations are completed.

Section 4806.13. The regulations described in Section 4806.12 shall not be subject to Article 6 of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.

Article VI. Ancient Forest Protection Bonds.

Section 4807. There is hereby created within the State Treasury the Ancient Forest Protection Fund, hereinafter "the Fund", which is continuously appropriated for carrying out the purposes of this Article without regard to fiscal years. Except as hereinafter provided, the Fund shall receive all proceeds of general obligation bonds issued pursuant to the provisions of this Article, the proceeds of the sale of timber pursuant to Article VIII of this chapter, and the proceeds of any fines

received pursuant to Article VIII of this chapter. Notwithstanding the foregoing provision, proceeds of the sale of said bonds in an amount not to exceed \$32 million shall be transferred to the Timber Workers Compensation and Retraining Fund established pursuant to Article VII of this chapter.

Section 4807.1. Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this Article, the Ancient Forest Protection Fund Finance Committee is hereby created. For the purposes of this chapter, the Ancient Forest Protection Fund Finance Committee is the "Committee" as that term is used in the State General Obligation Bond Law. The Committee shall consist of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chair person of the committee. A majority of the Committee may act for the Committee.

Section 4807.2. For the purpose of adopting resolutions and taking other required action pursuant to this chapter, the Wildlife Conservation Board shall constitute the "Board" as that term is used in the State General Obligation Bond Act.

Section 4807.3. At the direction of the Board pursuant to an appropriate resolution, the Committee shall authorize the issuance of general obligation bonds in the total amount of seven hundred forty-two million dollars (\$742,000,000), exclusive of refunding bonds, for the purposes specified in this Act. Except as hereinbefore provided, all proceeds from the sale of said bonds shall be deposited into the Ancient Forest Protection Fund. When sold, the bonds shall be and constitute a valid and binding obligation of the State of California and a pledge of the full faith and credit of the state for the punctual payment of both principal and interest thereof.

Section 4807.4. There shall be collected annually in the same manner and at the same time as other state revenue is collected the sum, in addition to the ordinary revenues of the state, as is required to pay the principal and interest on bonds authorized by this Article. It shall be the duty of all officers charged by law with any duty in regard to the collections of the revenue to do and perform each and every act which is necessary to collect that additional sum.

Section 4807.5. The provisions of the State General Obligation Bond Law (Chapter 4 commencing with Section 16720, of Part 3 of Division 4 of Title 2 of the Government Code) are hereby incorporated into this Article, and the provisions of that law shall be deemed included in this Article as though set out in full herein.

Section 4807.6. Money shall be disbursed from the Fund for the purposes of acquiring lands pursuant to Article V of this chapter, of satisfying a final judgment of a court of competent jurisdiction that any provision of this Act or any action taken pursuant to this Act constitutes a taking of private property without just compensation, and of allowing the Wildlife Conservation Board and the Department of Fish and Game to carry out their administrative duties pursuant to this Article and Article V; provided, however, that no more than \$32 million may be transferred to the Timber Workers Compensation and Retraining Fund.

Section 4807.7. There shall be transferred into the General Fund in the State Treasury, on the several dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal and interest on the bonds, from the Fund, so far as available therein, amounts equal to all sums so becoming due for principal and interest; if the money so returned on the remittance dates is less than the principal and interest then due and payable, the balance remaining unpaid shall be transferred to the General Fund out of the Fund as soon thereafter as it shall become available, together with interest thereon from the remittance dates until so returned at the same rate as borne by the bonds, compounded semiannually.

Section 4807.8. This Fund shall terminate when the Board finds that all proceeds authorized by Section 4807 have been disbursed for the purposes set forth in Section 4807.6, or at the conclusion of the tenth full fiscal year following the effective date of this Act, whichever is sooner, unless extended by a court of competent jurisdiction in resolving litigation brought under, or challenging, this Act; provided that any moneys remaining in the Fund at that time or that are directed to the Fund pursuant to Article VIII of this chapter after that time shall be transferred to the Wildlife Conservation Board, or its successor agency, and used for the purpose of acquiring wildlife habitat in accordance with the Wildlife Conservation Law of 1947 (Chapter 4, commencing with Section 1300, of Division 2 of the Fish and Game Code).

Section 4807.9. The bonds authorized by this Act may be refunded in accordance with Article 6 (commencing with Government Code § 16780) of the State General Obligation Bond Law. Approval of the authorization of these bonds by the electors includes approval of any bonds issued to refund the bonds originally issued.

Section 4807.10. The people of California hereby find and declare that, inasmuch as the proceeds from the sale of bonds authorized by this Act are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the

disbursement of these proceeds is not subject to the limitation imposed by that article.

Section 4807.11. It is the intent of the people of California that the bond revenues authorized by this Act shall not be used to displace any existing sources of funds for purposes authorized by this Act.

Article VII. Employment Program.

Section 4808. For the purposes of this Article, the following definitions shall apply unless the context indicates otherwise.

(a) "Department" shall mean the Employment Development Department.

(b) "Affected employer" means a corporation, partnership, joint venture, person, or other form of business entity (including a predecessor or successor by purchase, merger, or other form of acquisition), or working portion or division thereof, which is engaged in the harvest of timber or in related saw mill, plywood, log hauling, or other wood processing operations, and which employs one or more affected employees.

(c) "Affected employee" means a natural person who is either totally or partially laid off or terminated by an affected employer as a direct result of an acquisition of land, or a determination to acquire land, pursuant to the provisions of Article V of this chapter.

(d) "Total layoff" means a calendar month during which an affected employer has made no work available to an affected employee and made no payment to said affected employee for time not worked.

(e) "Partial layoff" means a calendar month during which all pay received by an affected employee from an affected employer is 80% or less than the amount the employee would have received had the employee performed services for the affected employer on a full-time basis.

Section 4808.1. There is hereby created within the State Treasury the Timber Workers Compensation and Retraining Fund, which is continuously appropriated for carrying out the purposes of this article without regard to fiscal years. Within six months of the effective date of this Act, the Fund shall receive the amount of \$22 million, to be derived from the proceeds of bonds issued pursuant to Article VI of this chapter. Upon the issuance of a finding by the Department that additional funds are needed to achieve the purposes of this Article, an additional \$10 million dollars from the proceeds of the sale of said bonds shall be transferred to the fund from the Ancient Forest Protection Fund established pursuant to Article VII of this chapter. Said finding shall be made, if at all, not later than eighteen months after the effective date of this Act.

Section 4808.2. Money shall be disbursed from the Timber Worker's Compensation and Retraining Fund for the purpose of providing compensation to affected employees during periods of total layoff, partial layoff, or for retraining, or for other purposes consistent with this Article.

Section 4808.3. Upon the conclusion of the fifth full fiscal year following the effective date of this Act, and notwithstanding any other provision of law pertaining to the termination of special funds, unexpended monies remaining in the Timber Worker's Compensation and Retraining Fund shall be transferred to the Ancient Forest Protection Fund created pursuant to Article VI of this Act.

Section 4808.4. Not later than six months after the effective date of this Act, the Legislature shall establish a program to compensate affected employees during periods of total or partial layoff and, where necessary, to retrain affected employees for alternative employment. Said program shall be administered by the Employment Development Department, and shall achieve the following goals:

(a) The program shall provide reasonable and fair compensation for all affected employees during periods of total layoff, partial layoff, or following termination. In determining the amount necessary to provide reasonable and fair compensation for a particular employee, the Department shall take into consideration the affected employee's level of compensation prior to layoff or termination, the affected employee's length of service and seniority, the terms of any applicable collective bargaining agreement, and such other matters as the Department shall deem appropriate. The rate of any such compensation, in combination with any unemployment benefits available to an affected employee and any salary earned, shall not exceed the affected employee's rate of compensation prior to layoff or termination. The total compensation available to any affected employee shall be limited to the employee's actual compensation during the year prior to layoff or termination.

(b) The program shall require the Department to assign its highest priority to assisting affected employees to find alternative employment.

(c) The program shall provide for necessary retraining of affected employees and may, as necessary, provide incentive bonuses for new employers of affected employees during periods of retraining.

(d) The program shall require the Department, to the extent practicable, to find alternative employment for affected employees in occupations emphasizing timber stand improvement, manual conifer release, watershed repair, erosion control, and other occupations which improve and enhance forests and wildlife habitat.

(e) The program shall not discriminate in employment on the basis of age, sex, race, medical condition, physical handicap,

creed, color, religion, sexual preference, marital status, or national or ethnic origin, and shall otherwise fully comply with the California Fair Employment and Housing Act.

Article VIII. Penalties and Enforcement.

Section 4809. Any person may commence an action against any government agency charged with responsibilities pursuant to this chapter or Chapter 8 of Part 2 for a writ of mandate pursuant to Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure to compel said agency to carry out any duty imposed upon it under the provisions of this chapter. Notwithstanding any other provision of law, particularly Section 529 of the Code of Civil Procedure, the plaintiff in such an action shall not be compelled to post more than a nominal bond as a condition of obtaining injunctive relief. Notwithstanding any other provision of law, any person shall have standing to intervene in support of this Act, or any portion of this Act, or the application thereof, in any judicial proceeding in which this Act or any portion thereof is challenged on constitutional grounds; however, notwithstanding any other provision of law, no such intervening party shall be subject to liability for any attorneys' fees or costs awarded to any prevailing party in such action.

Section 4809.1.

(a) Any action or proceeding to attack, review, set aside, void or annul a determination, finding, or decision, including a failure to act, of any public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in the agency, on the grounds of non-compliance with the provisions of this Act, shall be in accordance with Section 1094.5 of the Code of Civil Procedure.

(b) In any action other than one under subsection (a), the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.

Section 4809.2. Upon motion, a court shall award attorneys' fees and reasonable litigation expenses, including expert witness and consultant fees, to a prevailing party that meets the requirements of Section 1021.5 of the Code of Civil Procedure.

Section 4809.3.

(a) No action may be brought pursuant to Section 4809.1(a) unless the alleged grounds for noncompliance with this Act were presented to the public agency orally or in writing by any person.

(b) No person shall maintain an action or proceeding pursuant to Section 4809.1(b) unless that person objected to the approval of the project orally or in writing.

(c) This section does not preclude any organization formed after the challenged determination or decision from maintaining an action pursuant to Section 4809.1(b) if a member of that organization has complied with subsection (b).

(d) This section does not apply to the Attorney General.

(e) This section does not apply when there was no public hearing or other opportunity for members of the public to raise objections prior to the approval of the project or when the public agency failed to give the notice required by law.

Section 4809.4.

(a) In addition to any other remedy available at law or in equity, any provision of this Act that requires or forbids a private party to take or refrain from action directly affecting the environment or human health may be enforced pursuant to this section. Any person, including any governmental agency, who has violated, is violating, or is threatening to violate any such provision may be enjoined, and a civil penalty may be imposed as provided in Section 4809.5(a), in any court of competent jurisdiction.

(b) An action pursuant to this section may be brought by the Attorney General in the name of the People of the State of California, or by any district attorney, or by any city attorney of a city or city and county having a population in excess of 750,000, or with the consent of the district attorney by any city attorney or city prosecutor.

(c) An action pursuant to this section may be brought by any person acting in the public interest if:

- (1) the action is commenced more than sixty days after the person has given written notice of the violation which is the subject of the action to the Attorney General and the district attorney and any city attorney in whose jurisdiction the violation is alleged to occur, and to the alleged violator, and
- (2) none of such public officials has commenced and is diligently prosecuting an action against such violation.

The limitations specified in this subsection do not apply to an action brought against a government agency or official.

(d) If a public official undertakes a prosecution pursuant to the written notice described in subdivision (c)(1), before the noticing party brings an action under subdivision (c), the person who gave the notice shall be permitted to intervene in the action on such terms as the court finds appropriate.

(e) In any civil action brought pursuant to this section any prevailing plaintiff and intervenor shall be entitled to share in an appropriate portion of any civil penalty imposed. The court shall divide the portion of civil penalties awarded,

taking into account the respective contributions of the parties to the success of the action. An intervenor may also be awarded reasonable attorneys' fees and litigation expenses upon a finding by the court that the efforts of the intervenor substantially assisted the court in reaching a just resolution of the case.

Section 4809.5.

(a) In addition to any other penalty imposed by law, any person who conducts, orders or directs timber operations in violation of any provision of this Act shall be subject to a civil penalty in an amount not to exceed fifty thousand dollars (\$50,000) for each day of violation. In assessing the amount of the fine, the court shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation has occurred, and the corrective action, if any, taken by the violator. In addition to any other penalties imposed by law, the court may seize and confiscate the proceeds from the sale of illegally harvested trees. If said trees have not yet been sold, the court may order said trees confiscated and sold. The proceeds of the sale of trees pursuant to this subdivision shall be deposited into the Ancient Forest Protection Fund created pursuant to Article VI of this chapter.

(b) For any violation of this Act not specified in subsection (a), and in addition to any other penalty provided by law, a civil penalty may be administratively imposed by the Department of Fish and Game or the Department of Forestry and Fire Protection in an amount which shall not be less than five thousand dollars (\$5,000), nor more than ten thousand dollars (\$10,000), for each violation of a separate provision, or for continuing violations for each day that the violation continues. Moneys recovered pursuant to this section shall be deposited into the Ancient Forest Protection Fund.

Section 4809.6. It shall be a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in county jail for a period not to exceed six months, or by both such fine and imprisonment, to wilfully resist, delay or obstruct any person or agency charged with the responsibility under this Act to inspect, survey, or inventory lands. In the event of a continuing violation, each day during which the violation shall continue shall constitute a separate violation.

Section Three. Sections 730, 731, 731.1, 732, 733 and 736 of the Public Resources Code are hereby amended to read as follows:

Section 730. There is in the department a State Board of Forestry, ~~consisting of nine members appointed by the Governor,~~ Beginning on January 15, 1991, the Board shall consist of nine members, five of whom shall be appointed by the Governor and four

by the Lieutenant Governor, subject to confirmation by the Senate.

Section 731. All members of the board shall be appointed and shall be selected and approved for appointment on the basis of their educational and professional qualifications and their general knowledge of, interest in, and experience with, problems relating to watershed management (including hydrology and soil science), forest management practices, fish and wildlife, range management, mycology, forest economics, or land use planning, or Native American forest uses. ~~Five members shall be selected from the general public, three members shall be selected from the forest products industry, and one member shall be selected from the range livestock industry.~~ Members of the Board meeting the foregoing qualifications shall be appointed as follows:

(a) the Governor shall appoint two members from the general public; one member from among the officials or employees of an incorporated organization dedicated to preserving the natural environment; one member from among the officials or employees of an incorporated organization dedicated to wildlife preservation; and one member from the forestry or forest products industry.

(b) The Lieutenant Governor shall appoint one member from the general public; one member from among the county supervisors of any of the eight leading timber producing counties, as determined by the State Board of Equalization based on timber tax revenues and federal in-lieu payments, or among the county supervisors or planning commissioners of any county with special forestry rules pursuant to Sections 4516.5 or 4516.8; one member from among timberland owners who own 640 acres or less of timberland; and one member from among the officials or employees of an incorporated organization one of the purposes of which is the acquisition and preservation of land for plant or wildlife habitat.

(c) ~~At no time shall a majority of the members, nor any of the members selected from the general public, be persons with a direct personal financial interest, within the meaning of Section 1120 of the Government Code, in timberlands.~~ Appointment of Board members meeting the foregoing qualifications shall occur on January 15, 1991.

Section 731.1. The Legislature declares that some individuals appointed as members of the State Board of Forestry must be chosen from backgrounds in the forest products industry and ~~range livestock industries~~ in order to represent and further the interests of that industry ~~those industries~~ and that such representation and furtherance serves the general public interest, as specified in Section 731. Accordingly, the Legislature finds that, for purposes of persons who hold such office, the forest products ~~and the range livestock industries~~ are industry ~~is~~ tantamount to and ~~constitute~~ constitutes the public generally within the meaning of Section 87103 of the Government Code in those decisions affecting the forest products

~~or range livestock industries industry~~, unless the results of their actions taken as board members have a material financial effect on them distinguishable from their effect on other members of ~~their respective industries~~ the forest products industry generally.

Section 732. Each member of the board shall hold office for four years from the expiration of the term of his or her predecessor, except as provided in Section 733. Vacancies shall be immediately filled by the Governor or Lieutenant Governor, whoever appointed the member whose seat expired or became vacant, as provided in Section 731.

Section 733. The members first appointed to the board after enactment of the Forest and Wildlife Protection and Bond Act of 1990 shall classify themselves by lot so that the term of three members shall expire January 15, ~~1975~~ 1993, the term of two members shall expire January 15, ~~1976~~ 1994, the term of two members shall expire January 15, ~~1977~~ 1995, and the term of two members shall expire January 15, ~~1978~~ 1996, except that no member, with the exception of the initial term of the two members whose terms shall expire January 15, 1996, shall serve for a term in excess of four years without being reappointed and confirmed by the Senate as provided in this article.

Section 736. The board shall maintain its headquarters in Sacramento and shall hold meetings at such times and at such places as shall be determined by it. Five members of the board shall constitute a quorum for the purpose of transacting any business of the board. A majority affirmative vote of the total authorized membership of the board shall be necessary to adopt, amend, or repeal rules and regulations of the board adopted pursuant to Article 4 (commencing with Section 4551) of Chapter 8 of Part 2 of Division 4 or pursuant to Articles 3 and 4 of Chapter 1 of Part 2.7 of Division 4. All meetings of the board shall be open to the public.

Section Four. Sections 731.2 and 746 are hereby added to the Public Resources Code to read as follows:

Section 731.2.

(a) All members of the board shall represent the general public interest. No member of the board appointed or reappointed after the effective date of the Forest and Wildlife Protection and Bond Act of 1990, except the member from the forestry or forest products industry and the member from among timberland owners who own 640 acres or less of timberland:

- (1) may have a financial interest in timberlands or the forestry or the forest products industry;
- (2) may have had such an interest for at least five years prior to the member's date of appointment to the board; and

- (3) may acquire such an interest for at least three years after his or her membership on the Board has ended.

(b) For purposes of this Section, "financial interest" means any interest that could disqualify the member, pursuant to Article I (commencing with Section 87100) of Chapter 7 of Title 9 of the Government Code, from any decision that the board has authority to make.

Section 746. If the initiative measure entitled the Environmental Protection Act of 1990 is enacted during the General Election of 1990, and the Environmental Advocate referred to in Title Six of that Act is elected in the General Election of 1992 or thereafter, then all authority or responsibilities assigned to the Lieutenant Governor in this Article shall be exercised by the Environmental Advocate.

Section Five. Section 4513 of the Public Resources Code is hereby amended to read as follows:

Section 4513. It is the intent of the ~~Legislature~~ People to create and maintain an effective and comprehensive system of regulation and use of all timberlands so as to assure that:

(a) Where feasible, the productivity of timberlands is restored, enhanced, and maintained.

(b) ~~The goal of maximum sustained production of high-quality timber products is achieved while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries, and aesthetic enjoyment. The goal of~~ promoting and maintaining forests that support healthy watersheds, provide habitat for wildlife and fish, and contribute to biological diversity is achieved while providing for the maximum sustained production of high-quality timber products consistent with this goal.

Section Six. Section 4514.3 of the Public Resources Code is hereby repealed.

Section Seven. Section 4521 of the Public Resources Code is hereby amended to read as follows:

Section 4521. Unless the context otherwise requires, the definitions set forth in this article and in Article II of chapter 1 of Part 2.7, commencing with section 4800, shall govern the construction of this chapter and of chapter 1 of Part 2.7.

Section Eight. Section 4562.8 is hereby added to the Public Resources Code to read:

Section 4562.8. In addition to the rules provided for in Section 4562.7, all timber operations shall comply with the following minimum requirements:

(a) No timber operations may occur that would have a significant adverse effect on water quality, water temperature, fish habitat, or other beneficial uses of water, or that would cause damage to soil or water resources in violation of state or federal law.

(b) Except where necessary to construct a watercourse crossing, within 100 feet from any Class I watercourse or lake or within 50 feet of any Class II watercourse or lake:

(1) Not more than ten percent, by volume, of all trees may be removed in any twenty year period.

(2) No tractors or other soil-disturbing equipment may be used for the purpose of conducting timber operations.

Notwithstanding subsection (b)(1), in order to retain stream canopy and prevent increases in stream temperature, no trees may be removed within 50 feet of any Class I watercourse or lake except where necessary to construct a watercourse crossing. For purposes of this subsection, distances shall be measured horizontally from the bankfull elevation, defined as the elevation of the one and one-half (1 1/2) year recurrence interval flow of the watercourse.

(c) No landings may be constructed or reconstructed in, and no logs may be yarded into, any watercourse or lake.

(d) No timber operations may occur and no equipment may be used or placed within sixty (60) feet of the periphery of any seep or spring, or that would reduce existing canopy closure for such seep or spring.

Section Nine. Section 4581 of the Public Resources Code is hereby amended to read as follows:

Section 4581. No person shall conduct timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted for such operations to the department pursuant to this article. Such plan shall be required in addition to the license required in Section 4571. No timber operations may be conducted pursuant to a timber harvesting plan except under the supervision of a registered professional forester. The registered professional forester shall assure that timber operations comply with the plan and with all applicable legal requirements.

Section Ten. Section 4582 of the Public Resources Code is hereby amended to read as follows:

Section 4582. The timber harvesting plan shall be filed with the department in writing by a person who owns, leases, or otherwise controls or operates on all or any portion of any timberland and who plans to harvest the timber thereon. If the person who files the plan is not the owner of the timberland, the person filing the plan shall notify the timberland owner by certified mail that the plan has been submitted and shall certify

that mailing to the department. The plan shall be a public record and shall include all of the following information:

- (a) The name and address of the timber owner.
- (b) The name and address of the timber operator.
- (c) A description of the land on which the work is proposed to be done, including a United States Geological Survey quadrangle map or equivalent indicating the location of all streams, the location of all proposed and existing logging truck roads, and indicating boundaries of all site I classification timberlands to be stocked in accordance with subdivision (b) of Section 4561 and any other site classifications if the board establishes specific minimum stocking standards for other site classifications.
- (d) A description of the silvicultural methods to be applied, including the type of logging equipment to be used.
- (e) An outline of the methods to be used to avoid excessive accelerated erosion from timber operations ~~to be conducted within the proximity of a stream.~~
- (f) Special provisions, if any, to protect any unique fragile, or sensitive areas, including native American cultural sites, area within the area of timber operations.
- (g) The expected dates of commencement and completion of timber operations.
- (h) A certification by the registered professional forester preparing the plan that he or she ~~or a designee~~ has personally inspected the plan area.
- (i) Any studies, research, or other site-specific information regarding the existence of dependent wildlife species, as defined in Section 4803(e), in the area subject to the plan.
- (j) The total volume of timber, and the total volume of mature timber, that will be logged.
- ~~(i)~~(k) Any other information the board provides by regulation to meet its rules and the standards of this chapter and chapter 1 of Part 2.7.

Section Eleven. Section 4582.7 of the Public Resources Code is amended to read:

Section 4582.7. The director shall have ~~60~~ 15 days ~~from the date the initial inspection is completed, or, in the event the director determines that the inspection need not be made,~~ 15 days from the date of filing, ~~as specified in Section 4604,~~ or a longer period mutually agreed upon by the director and the person submitting the timber harvesting plan, to review the plan to determine if it is in conformance with all legal requirements the rules and regulations of the board and with this chapter. If the director determines that the plan is not in conformance with all legal requirements the rules and regulations of the board or with this chapter, the director shall return the plan, stating his or her reasons and advising the person submitting the plan of the person's right to a hearing before the board, ~~and timber~~

~~operations shall not commence. A person to whom a plan is returned may, within 10 days from the receipt of the plan, request of the board a public hearing before the board. The board shall schedule a public hearing to review the plan to determine if it is in conformance with all legal requirements the rules and regulations of the board and this chapter. Timber operations shall await board approval of the plan. Board action shall occur within ~~30~~ 45 days from the filing of the appeal, or a longer period mutually agreed upon by the board and the person filing the appeal. If the plan is not approved on appeal to the board, the plan may be found to be in conformance by the director within 10 days of board action, provided the plan is brought into full conformance with all legal requirements the rules and regulations of the board and this chapter. If the director does not act within 15 days, or a longer period mutually agreed upon by the director and the person submitting the timber harvesting plan, timber operations may commence pursuant to the plan, and all provisions of the plan shall be followed as provided in this chapter. Final approval of the plan by the director or the board shall be accompanied by a response to significant environmental points raised during the review process. No timber operations of any kind, including but not limited to road construction, may commence prior to thirty (30) days after final approval of the plan by the director or the board.~~

Section Twelve. Sections 4582.71 through 4582.74, inclusive, are hereby added to the Public Resources Code as follows:

Section 4582.71.

(a) The Department of Fish and Game shall inspect the area in which timber operations are to be conducted and shall determine, within the 60 day review period, whether the timber harvesting plan proposes any timber operations within an ancient forest, as defined in Section 4803(a). The Department shall also identify any seeps, springs, wetlands, or other habitats that may be sensitive to timber operations. If the person submitting the plan refuses to allow the Department reasonable access to the property to make such an inspection, the plan shall be denied.

(b) (1) Notwithstanding Article 5 of Chapter 4.5 of Division I of Title 7 of the Government Code or other applicable laws, if the Department determines that the plan proposes timber operations within an ancient forest, the timber harvesting plan review process shall be suspended, and the ancient forest shall be referred to the Wildlife Conservation Board to be considered for acquisition pursuant to Section 4806.

(2) Subsection (1) shall not apply if the Department determines, in writing, that an ancient forest would be a low priority for acquisition, based on all of the factors set forth in Section 4806.5. Such a determination, and the reasons therefor,

shall be included in a response to significant environmental points raised.

Section 4582.72. If the Wildlife Conservation Board decides not to acquire an ancient forest referred pursuant to Section 4582.71(b)(1), the director shall proceed to review the timber harvesting plan pursuant to this Article; provided, however, that the full 60 day review period specified in Section 4582.7 shall recommence on the date of the Wildlife Conservation Board's decision.

Section 4582.73. The Department of Fish and Game shall review any timber harvesting plan that proposes timber operations within an ancient forest to determine possible adverse impacts on dependent wildlife species, as defined in Section 4803(e). This authority supplements, and does not supercede, the Department of Fish and Game's existing authority to review timber harvesting plans. The Department of Fish and Game may conduct site inspections or studies in order to exercise its authority under this Section.

Section 4582.74. In reviewing timber harvesting plans the Department of Fish and Game may recommend mitigation measures that, based on the best available biological data, are reasonably necessary in order to prevent or reduce possible harm to wildlife, including but not limited to dependent wildlife species, or to establish potential habitat for such species. Such mitigation measures may include, but are not limited to, site-specific requirements that live trees, snags, or dead and down wood be retained on the site, or general requirements established pursuant to Section 4806.12(b). Any plan that fails to incorporate such mitigation measures shall not be approved.

Section 4582.76. Sections 4582.71(b) and 4582.72 shall become inoperative when the Ancient Forest Protection Fund terminates, as provided in Section 4807.8.

Section Thirteen. Section 4582.75 of the Public Resources Code is hereby repealed.

Section Fourteen. Section 4582.9 is hereby added to the Public Resources Code to read as follows:

Section 4582.9. Fees. Within six months of the effective date of this Act, the Department of Forestry and Fire Protection, the Board of Forestry, the Department of Fish and Game, and the Regional Water Quality Control Boards shall adopt fee schedules to cover their reasonable program costs in reviewing timber harvesting plans or taking any other action required by this chapter or Chapter 1 of Part 2.7 pertaining to the review of a timber harvesting plan. Every person submitting a timber harvesting plan shall pay the fees imposed by said schedules to

such agencies. Fees shall increase in proportion to both the timber volume proposed to be removed and to the acreage of land upon which timber is proposed to be harvested.

Section Fifteen. Section 4583.5 of the Public Resources Code is hereby amended to read as follows:

Section 4583.5. If the board finds that the registered professional forester has made any material misstatement in the filing of any timber harvesting plan, sustained yield plan or report under this chapter or chapter 1 of Part 2.7, or has failed to comply with Section 4581, it shall take disciplinary action against him or her as provided under Section 775.

Section Sixteen. Section 4650.1 of the Public Resources Code is amended to read:

Section 4650.1.

(a) Notwithstanding any other provision of law, timber from state forests shall not be sold to any primary manufacturer, or to any person for resale to a primary manufacturer, who ~~makes~~ does either of the following:

- (1) ~~use of such~~ Uses that timber at any plant not located within the United States, unless it is sawn on four sides to dimensions not greater than 4 inches by 12 inches.
- (2) Sells any logs harvested from private timberlands in California for foreign export or processes those logs at manufacturing facilities located outside the United States.

(b) Any purchaser of timber from state forests who makes use of ~~such~~ timber in violation of ~~this section paragraph (1) of subdivision (a)~~ shall be is prohibited from purchasing state forest timber for a period of five years and may have his or her license suspended for a period of up to six months.

(c) The department may adopt appropriate regulations to prevent the substitution of timber from state forests for timber exported from private timberlands.

Section Seventeen. Section 10295.5 is added to the Public Contract Code, to read:

Section 10295.5.

(a) The State of California shall not purchase lumber or other forest products from any person or corporation, or from any manufacturer who obtains timber or other forest products from any person or corporation, which sells logs harvested within the state for foreign export or processes timber harvested within the state at facilities located outside of the United States.

(b) The State of California shall not enter into any contract, the performance of which requires any contractor thereto to purchase lumber or other forest products, unless such

contract provides that such contractor shall not purchase lumber or other forest products from any person or corporation, or from any manufacturer who obtains timber or other forest products from any person or corporation, which sells logs harvested within the State for foreign export or processes timber harvested within the state at facilities located outside of the United States.

(c) The Department of General Services shall revise its procedures and procurement specifications for state purchases of lumber and other forest products to ensure compliance with this Section.

Section Eighteen. Section 12650.1 is hereby added to the Government Code, to read:

Section 12650.1. The term "services," as used in Section 12650(a), is defined to include a request for the exercise of governmental authority, such as the issuance, continuation, or approval of a permit, including but not limited to the approval of a timber harvesting plan pursuant to Section 4582.7 of the Public Resources Code.

Section Nineteen. Liberal Interpretation. The provisions of this Act shall be liberally interpreted in order to give effect to its purposes.

Section Twenty. Severability. If any provision of this Act or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Act which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Act are severable.

Section Twenty-One. Existing Laws and Regulations. Nothing in this Act shall be interpreted to affect regulations adopted pursuant to Sections 4516, 4516.5, and 4516.8 of the Public Resources Code that are stricter than the minimum standards set forth or authorized in this Act.

Section Twenty-Two. Conflicting Law. In the event that this measure and another measure or measures which would in whole or in part affect forest practices or authorize issuance of bonds for the purpose of acquiring ancient forests or redwoods appear on the ballot at the election of November 6, 1990, and this measure receives a greater number of affirmative votes than said other measures, proceeds of any bond sale authorized by said other measure for the purpose of acquiring ancient forests or redwoods shall be deposited into the Ancient Forest Protection Fund created in Article VI of Section Two of this measure, and this measure shall prevail to the extent of any conflict between the measures. In the event that said other measure or measures shall receive a greater number of affirmative votes than this

measure, the provisions of this measure take effect to the extent permitted by applicable law. This measure is inconsistent with all of the terms of the Global Warming and Clearcutting Reduction, Wildlife Protection and Reforestation Act of 1990 and the Reforestation, Wildlife and Timber Management Act of 1990. If this initiative and either of said measures pass by majorities voting thereon and this measure receives a greater number of affirmative votes than said other measures, then said other measures shall be of no force and effect.

Section Twenty-Three. Amendment. This Act may be amended by statute, passed in each house by roll-call vote entered into the journal, two-thirds of the membership concurring, and signed by the Governor, if at least twelve days prior to passage in each house the bill in its final form has been distributed to the news media and to every person who has requested that copies of such legislation be sent to him or her; provided, however, that any such amendment shall further the purposes and intent of this Act; and further provided that the Legislature may not reallocate any funds authorized by this Act or amend, revoke, or repeal Article VIII of chapter 1 of Part 2.7 of Division 4 of the Public Resources Code in any respect.



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

June 13, 1990

Mr. R. Brian Kidney
Office of the Chief Clerk
State Capitol, Room 3196
Sacramento, California 95814

Dear Mr. Kidney:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE. This initiative has qualified for the November 6, 1990 General Election.

Sincerely,

March Fong Eu

MARCH FONG EU
Secretary of State

MFE/bl/cb

Enclosures



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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

June 13, 1990

Mr. Darryl White
Secretary of the Senate
State Capitol, Room 3044
Sacramento, California 95814

Dear Mr. White:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE. This initiative has qualified for the November 6, 1990 General Election.

Sincerely,

March Fong Eu

MARCH FONG EU
Secretary of State

MFE/bl/cb

Enclosures





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

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ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

June 13, 1990

Mr. Thomas Lippe
Towner and Lippe
90 New Montgomery Street, Suite 1400
San Francisco, CA 94105

Dear Mr. Lippe:

Pursuant to Section 3523 of the Elections Code, I hereby certify that on June 13, 1990, the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the initiative **FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE.**, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The **FOREST PROTECTION. TIMBER HARVESTING. BOND ACT. INITIATIVE STATUTE.** is, therefore, qualified for the November 6, 1990 General Election.

Sincerely,

March Fong Eu

MARCH FONG EU
Secretary of State

MFE/bl/cb



JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

March 6, 1990

(916) 324-5508

Thomas Neil Lippe
Towner and Lippe
90 New Montgomery Street
San Francisco, CA 94105

Dear Mr. Lippe:

Initiative Title and Summary
Subject: FOREST PROTECTION. TIMBER HARVESTING.
BOND ACT. INITIATIVE STATUTE.
Our File No. SA 90 RF 0014

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General


MARY WHITCOMB

Initiative Coordinator

MW:ckm

Enclosures

DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponent, by placing a true copy thereof in an envelope addressed to the proponent named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: March 6, 1990

Subject: FOREST PROTECTION. TIMBER HARVESTING.
BOND ACT. INITIATIVE STATUTE.

Our File No. SA 90 RF 0014

Name of Proponent and Address:

Thomas Neil Lippe
Towner and Lippe
90 New Montgomery Street
San Francisco, CA 94105

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on: March 6, 1990.


CHARLENE K. MCDANIEL
Declarant

518 Cathy Mitchell

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

March 7, 1990

NEWS ADVISORY

California Secretary of State March Fong Eu announced today (Mar. 7) that the proponent has made some amendments to the text of and the attorney general has reissued a recent initiative - "Forest Protection. Timber Harvesting. Bond Act," sponsored by Thomas Lippe of San Francisco. Because of text changes, this measure has a new summary date (Mar. 6) which also gives it a new circulation deadline of Aug. 8. Titles and summaries of the measure remain unchanged.

The full text can be obtained from the secretary of state's elections division, 1230 J Street, Sacramento, CA 95814, (916) 445-0820.

For further information, please contact Melissa Warren at (916) 445-6375.

#

9031SW

04/09/91	518	FOREST FOREVER	RAW COUNT	RANDOM SAMPLE	VALID SIGS.	NOT SUFF.	DUP.	PROJECTED VALID	%
07:55:19	1.	ALAMEDA	74,051	3,702	2,978	724	13	59,569	80.4%
	2.	ALPINE	5	5	4	1	0	4	80.0%
REQUIRED:	3.	AMADOR							
372,178	4.	BUTTE	3,620	500	357	143	0	2,585	71.4%
	5.	CALAVERAS	212	212	168	44	1	168	79.2%
95%	6.	COLUSA	36	36	28	8	0	28	77.8%
353,569	7.	CONTRA COSTA	32,486	1,624	1,344	280	3	26,885	82.8%
	8.	DEL NORTE	103	103	85	18	1	85	82.5%
110%	9.	EL DORADO	2,662	500	387	113	3	2,060	77.4%
409,396	10.	FRESNO	6,859	500	379	121	2	5,199	75.8%
	11.	GLENN	44	44	39	5	0	39	88.6%
	12.	HUMBOLDT	6,984	500	397	103	1	5,545	79.4%
CURRENT STATUS:	13.	IMPERIAL	1,051	1,051	795	256	0	795	75.6%
	14.	INYO	254	254	191	63	0	191	75.2%
612,479	15.	KERN	11,421	591	409	182	2	7,904	69.2%
164.6%	16.	KINGS	250	250	184	66	2	184	73.6%
OF REQUIRED	17.	LAKE	742	500	433	67	1	643	86.6%
	18.	LASSEN	36	36	31	5	1	31	86.1%
76.17%	19.	LOS ANGELES	192,950	9,549	6,765	2,784	19	136,696	70.8%
OF RAW	20.	MADERA	725	500	400	100	1	580	80.0%
	21.	MARIN	19,281	954	748	206	1	15,118	78.4%
	22.	MARIPOSA	171	171	132	39	2	132	77.2%
	23.	MENDOCINO	6,734	500	409	91	2	5,508	81.8%
	24.	MERCED	468	468	361	107	2	361	77.1%
	25.	MODOC	4	4	4	0	0	4	100.0%
	26.	MONO	91	91	83	8	0	83	91.2%
	27.	MONTEREY	10,244	512	393	119	1	7,863	76.8%
	28.	NAPA	3,746	500	401	99	0	3,004	80.2%
	29.	NEVADA	1,938	500	415	85	0	1,609	83.0%
	30.	ORANGE	44,108	2,205	1,623	582	2	32,466	73.6%
	31.	PLACER	2,406	500	414	86	1	1,992	82.8%
	32.	PLUMAS	56	56	48	8	1	48	85.7%
	33.	RIVERSIDE	11,875	594	492	102	1	9,836	82.8%
	34.	SACRAMENTO	26,222	1,311	1,014	297	2	20,282	77.3%
	35.	SAN BENITO	280	280	221	59	0	221	78.9%
	36.	SAN BERNARDINO	17,930	896	645	251	1	12,907	72.0%
	37.	SAN DIEGO	85,662	4,283	3,094	1,189	0	61,881	72.2%
	38.	SAN FRANCISCO	73,633	3,737	3,103	634	16	61,141	83.0%
	39.	SAN JOAQUIN	1,749	500	390	110	2	1,364	78.0%
	40.	SAN LUIS OBISPO	7,407	500	367	133	0	5,437	73.4%
	41.	SAN MATEO	30,586	1,529	1,202	327	2	24,045	78.6%
	42.	SANTA BARBARA	10,186	509	353	156	1	7,064	69.4%
	43.	SANTA CLARA	49,608	2,480	1,931	549	9	38,626	77.9%
	44.	SANTA CRUZ	19,614	981	770	211	3	15,395	78.5%
	45.	SHASTA	295	295	220	75	0	220	74.6%
	46.	SIERRA	10	10	3	7	0	3	30.0%
	47.	SISKIYOU	457	457	370	87	13	370	81.0%
	48.	SOLANO	4,331	500	389	111	0	3,370	77.8%
	49.	SONOMA	24,025	1,206	1,016	190	3	20,240	84.2%
	50.	STANISLAUS	2,877	500	400	100	1	2,302	80.0%
	51.	SUTTER	168	168	123	45	1	123	73.2%
	52.	TEHAMA	72	72	65	7	0	65	90.3%
	53.	TRINITY	88	88	82	6	1	82	93.2%
	52.	TULARE	2,385	500	391	109	1	1,865	78.2%
	55.	TUOLUMNE	520	520	439	81	11	439	84.4%
	56.	VENTURA	4,594	500	376	124	4	3,455	75.2%
	57.	YOLO	5,655	500	379	121	3	4,286	75.8%
	58.	YUBA	120	120	82	38	0	82	68.3%
		TOTAL	804,087	49,954	38,322	11,632	137	612,479	

518 FOREST FOREVER	FILED PET.	SOS REC'DRANDOM	CO TO MAIL	REC'D CERT	01/07/91
W/COUNTY	RAW CT	NOTICE	CERT TO SOS	FR. CO.	02:13:21
1. ALAMEDA	5/8	6/1	---	6/22	
2. ALPINE	5/7	5/10	---	---	REQUIRED:
3. AMADOR	---	---	---	6/21	372,178
4. BUTTE	5/8	5/14	---	---	
5. CALAVERAS	5/8	5/23	---	6/21	95%
6. COLUSA	5/8	5/15	---	6/21	357,570
7. CONTRA COSTA	5/8	5/17	---	---	
8. DEL NORTE	---	5/11	---	---	110%
9. EL DORADO	5/8	5/29	---	6/21	409,396
10. FRESNO	5/15	5/14	---	6/22	
11. GLENN	5/8	5/23	---	---	
12. HUMBOLDT	---	5/14	---	6/22	CURRENT STATUS
13. IMPERIAL	---	5/14	---	6/22	
14. INYO	5/9	5/11	---	6/25	577,175
15. KERN	5/8	5/11	---	6/22	155.1%
16. KINGS	5/5	6/19	---	6/22	OF REQUIRED
17. LAKE	5/8	5/9	---	6/22	69.3%
18. LASSEN	5/8	5/1	---	6/22	OF RAW
19. LOS ANGELES	5/8	5/18	---	6/25	
20. MADERA	5/8	5/11	---	6/22	
21. MARIN	5/5	5/14	---	6/22	
22. MARIPOSA	5/8	5/11	---	---	
23. MENDOCINO	5/8	5/17	---	6/25	
24. MERCED	5/11	5/21	---	---	
25. MODOC	5/8	5/23	---	6/22	
26. MONO	5/9	6/5	---	6/22	
27. MONTEREY	---	5/11	---	6/25	
28. NAPA	5/10	5/30	---	6/21	
29. NEVADA	5/9	5/10	---	5/15	
30. ORANGE	5/8	5/21	---	6/22	
31. PLACER	5/11	6/8	---	6/22	
32. PLUMAS	5/8	5/11	---	---	
33. RIVERSIDE	5/8	5/21	---	6/25	
34. SACRAMENTO	5/8	5/9	---	6/21	
35. SAN BENITO	5/8	7/12	---	6/22	
36. SAN BERNARDINO	5/8	5/18	---	6/22	
37. SAN DIEGO	5/8	5/21	---	6/25	
38. SAN FRANCISCO	5/8	6/15	---	6/22	
39. SAN JOAQUIN	5/8	5/25	---	6/22	
40. SAN LUIS OBISPO	5/8	5/14	---	6/25	
41. SAN MATEO	5/8	6/13	---	6/21	
42. SANTA BARBARA	5/8	5/17	---	---	
43. SANTA CLARA	5/8	5/21	---	6/25	
44. SANTA CRUZ	5/8	6/19	---	6/22	
45. SHASTA	5/9	5/14	---	6/22	
46. SIERRA	---	5/11	---	---	
47. SISKIYOU	5/9	5/22	---	6/21	
48. SOLANO	5/8	5/14	---	6/21	
49. SONOMA	5/8	5/20	---	6/22	
50. STANISLAUS	5/9	6/16	---	5/31	
51. SUTTER	5/8	5/10	---	6/21	
52. TEHAMA	5/9	5/11	---	6/21	
53. TRINITY	5/9	5/23	---	6/20	
54. TULARE	---	5/10	---	6/22	
55. TUOLUMNE	5/8	5/11	---	6/21	
56. VENTURA	5/8	6/4	---	6/22	
57. YOLO	5/10	5/24	---	6/28	
58. YUBA	5/20	5/24	---	6/21	

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 3/6/90 - never received
 Title of Initiative: FOREST PROTECTION. TIMBER HARVESTING. BOND ACT.
 Type of Initiative: CA S CA and S
 Number of Pages 33 Number of Proponents 1
 Date and Time Initiative will be ready for pick-up 3/6/90 - 2:40

Initial/Date/Time

1. da 3/6 12:40 OSSI informs Chief/Assistant Chief Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 3/6 12:50 OSSI gives check list to Word Processing Technician to prepare calendar.
3. CB 3/6 13:10 Word Processing Technician prepares and proofs calendar and log and returns both to OSSI.
4. da 3/6 13:14 OSSI proofs calendar and log.
5. da 3/6 13:15 OSSI gives final calendar and log to Elections Analyst.
6. RL 3/6 13:35 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 3/6 13:39 OSSI makes copies of initiative calendar for each proponent.
8. da 3/6 14:30 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 3/6 14:35 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 3/6 to each proponent.
Date

(This must be sent to each proponent same day AG prepares Title and Summary).

10. da 3/6 15:00 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST

Page two

11. da 13/6/14:30 OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:
- ☒ Tony
 - ☒ Caren
 - ☒ Jerry
 - ☒ Barbara
12. da 13/8/11:00 OSSI distributes copies of initiative calendar to:
- ☒ All CC/ROV
 - ☒ Political Reform (2 copies)
 - ☒ Elections Staff
 - ☒ LA Office via LA Pouch - J.R. Schultz (12 copies)
 - ☒ Initiative mailing list
 - ☒ Extra copies for public distribution
 - ☒ Master copy
13. da 13/8/11:30 OSSI advises Assistant Chief of completion of above distribution.
14. da 13/8/11:00 OSSI makes copies of log and distributes as follows:
1. Initiative canvass binder
 2. Vi Daniels (Initiative Mailing List)
 3. Melody Anderson(Archives)
 4. Oliver Cox
 5. Initiative Clipboard
 6. Deborah Seiler (Initiative Mailing)
 7. Cindy Suzuki (Initiative Mailing List)
 8. Shirley Washington(Media Office)
15. da 13/7/8:00 Receptionist prepares folder for public distribution.
16. da 13/7/8:15 Receptionist prepares index cards for each initiative.
17. da 13/6/14:35 OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
18. da 13/6/3:15 OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.
19. da 13/20/12:45 Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room

3/6/90 / 3:15
Date Time

Request mail to be sent no later than

3/6/90
Date

MAIL:

- ☒ 1st Class
☐ Bulk
☐ Book Rate
☐ Presort
☐ Third Class

CHARGES:

Amount: \$1.65

Pieces: 1

FREIGHT:

- ☐ UPS
☐ Purolator
☐ Greyhound (Next bus out: Yes _____ No _____)
☐ Air-Freight
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
☐ County Mailings (#'s: _____)
☐ Ballot Pamphlet
☐ Other (Specify: _____)
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on

3/6/90

JSK
Initial (Service and Supply)

04/09/91 518 FOREST FOREVER	RAW COUNT	RANDOM SAMPLE	VALID SIGS.	NOT SUFF.	DUP.	PROJECTED VALID	%
07:55:19 1. ALAMEDA	74,051	3,702	2,978	724	13	59,569	80.4%
2. ALPINE	5	5	4	1	0	4	80.0%
REQUIRED: 3. AMADOR							
372,178 4. BUTTE	3,620	500	357	143	0	2,585	71.4%
5. CALAVERAS	212	212	168	44	1	168	79.2%
95% 6. COLUSA	36	36	28	8	0	28	77.8%
353,569 7. CONTRA COSTA	32,486	1,624	1,344	280	3	26,885	82.8%
8. DEL NORTE	103	103	85	18	1	85	82.5%
110% 9. EL DORADO	2,662	500	387	113	3	2,060	77.4%
409,396 10. FRESNO	6,859	500	379	121	2	5,199	75.8%
11. GLENN	44	44	39	5	0	39	88.6%
12. HUMBOLDT	6,984	500	397	103	1	5,545	79.4%
CURRENT STATUS: 13. IMPERIAL	1,051	1,051	795	256	0	795	75.6%
14. INYO	254	254	191	63	0	191	75.2%
612,479 15. KERN	11,421	591	409	182	2	7,904	69.2%
164.6% 16. KINGS	250	250	184	66	2	184	73.6%
OF REQUIRED 17. LAKE	742	500	433	67	1	643	86.6%
18. LASSEN	36	36	31	5	1	31	86.1%
76.17% 19. LOS ANGELES	192,950	9,549	6,765	2,784	19	136,696	70.8%
OF RAW 20. MADERA	725	500	400	100	1	580	80.0%
21. MARIN	19,281	954	748	206	1	15,118	78.4%
22. MARIPOSA	171	171	132	39	2	132	77.2%
23. MENDOCINO	6,734	500	409	91	2	5,508	81.8%
24. MERCED	468	468	361	107	2	361	77.1%
25. MODOC	4	4	4	0	0	4	100.0%
26. MONO	91	91	83	8	0	83	91.2%
27. MONTEREY	10,244	512	393	119	1	7,863	76.8%
28. NAPA	3,746	500	401	99	0	3,004	80.2%
29. NEVADA	1,938	500	415	85	0	1,609	83.0%
30. ORANGE	44,108	2,205	1,623	582	2	32,466	73.6%
31. PLACER	2,406	500	414	86	1	1,992	82.8%
32. PLUMAS	56	56	48	8	1	48	85.7%
33. RIVERSIDE	11,875	594	492	102	1	9,836	82.8%
34. SACRAMENTO	26,222	1,311	1,014	297	2	20,282	77.3%
35. SAN BENITO	280	280	221	59	0	221	78.9%
36. SAN BERNARDINO	17,930	896	645	251	1	12,907	72.0%
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40. SAN LUIS OBISPO	7,407	500	367	133	0	5,437	73.4%
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45. SHASTA	295	295	220	75	0	220	74.6%
46. SIERRA	10	10	3	7	0	3	30.0%
47. SISKIYOU	457	457	370	87	13	370	81.0%
48. SOLANO	4,331	500	389	111	0	3,370	77.8%
49. SONOMA	24,025	1,206	1,016	190	3	20,240	84.2%
50. STANISLAUS	2,877	500	400	100	1	2,302	80.0%
51. SUTTER	168	168	123	45	1	123	73.2%
52. TEHAMA	72	72	65	7	0	65	90.3%
53. TRINITY	88	88	82	6	1	82	93.2%
52. TULARE	2,385	500	391	109	1	1,865	78.2%
55. TUOLUMNE	520	520	439	81	11	439	84.4%
56. VENTURA	4,594	500	376	124	4	3,455	75.2%
57. YOLO	5,655	500	379	121	3	4,286	75.8%
58. YUBA	120	120	82	38	0	82	68.3%
TOTAL	804,087	49,954	38,322	11,632	137	612,479	

518 FOREST FOREVER	FILED PET.	SOS REC'D	RANDOM	CO TO MAIL	REC'D CERT	01/07/91
W/COUNTY	RAW CT	NOTICE	CERT TO SOS	FR. CO.	02:13:21	
1. ALAMEDA	5/8	6/1	---	---	6/22	
2. ALPINE	5/7	5/10	---	---	---	REQUIRED:
3. AMADOR	---	---	---	---	6/21	372,178
4. BUTTE	5/8	5/14	---	---	---	
5. CALAVERAS	5/8	5/23	---	---	6/21	95%
6. COLUSA	5/8	5/15	---	---	6/21	357,570
7. CONTRA COSTA	5/8	5/17	---	---	---	
8. DEL NORTE	---	5/11	---	---	---	110%
9. EL DORADO	5/8	5/29	---	---	6/21	409,396
10. FRESNO	5/15	5/14	---	---	6/22	
11. GLENN	5/8	5/23	---	---	---	
12. HUMBOLDT	---	5/14	---	---	6/22	CURRENT STATUS
13. IMPERIAL	---	5/14	---	---	6/22	
14. INYO	5/9	5/11	---	---	6/25	577,175
15. KERN	5/8	5/11	---	---	6/22	155.1%
16. KINGS	5/5	6/19	---	---	6/22	OF REQUIRED
17. LAKE	5/8	5/9	---	---	6/22	69.3%
18. LASSEN	5/8	5/1	---	---	6/22	OF RAW
19. LOS ANGELES	5/8	5/18	---	---	6/25	
20. MADERA	5/8	5/11	---	---	6/22	
21. MARIN	5/5	5/14	---	---	6/22	
22. MARIPOSA	5/8	5/11	---	---	---	
23. MENDOCINO	5/8	5/17	---	---	6/25	
24. MERCED	5/11	5/21	---	---	---	
25. MODOC	5/8	5/23	---	---	6/22	
26. MONO	5/9	6/5	---	---	6/22	
27. MONTEREY	---	5/11	---	---	6/25	
28. NAPA	5/10	5/30	---	---	6/21	
29. NEVADA	5/9	5/10	---	---	5/15	
30. ORANGE	5/8	5/21	---	---	6/22	
31. PLACER	5/11	6/8	---	---	6/22	
32. PLUMAS	5/8	5/11	---	---	---	
33. RIVERSIDE	5/8	5/21	---	---	6/25	
34. SACRAMENTO	5/8	5/9	---	---	6/21	
35. SAN BENITO	5/8	7/12	---	---	6/22	
36. SAN BERNARDINO	5/8	5/18	---	---	6/22	
37. SAN DIEGO	5/8	5/21	---	---	6/25	
38. SAN FRANCISCO	5/8	6/15	---	---	6/22	
39. SAN JOAQUIN	5/8	5/25	---	---	6/22	
40. SAN LUIS OBISPO	5/8	5/14	---	---	6/25	
41. SAN MATEO	5/8	6/13	---	---	6/21	
42. SANTA BARBARA	5/8	5/17	---	---	---	
43. SANTA CLARA	5/8	5/21	---	---	6/25	
44. SANTA CRUZ	5/8	6/19	---	---	6/22	
45. SHASTA	5/9	5/14	---	---	6/22	
46. SIERRA	---	5/11	---	---	---	
47. SISKIYOU	5/9	5/22	---	---	6/21	
48. SOLANO	5/8	5/14	---	---	6/21	
49. SONOMA	5/8	5/20	---	---	6/22	
50. STANISLAUS	5/9	6/16	---	---	5/31	
51. SUTTER	5/8	5/10	---	---	6/21	
52. TEHAMA	5/9	5/11	---	---	6/21	
53. TRINITY	5/9	5/23	---	---	6/20	
54. TULARE	---	5/10	---	---	6/22	
55. TUOLUMNE	5/8	5/11	---	---	6/21	
56. VENTURA	5/8	6/4	---	---	6/22	
57. YOLO	5/10	5/24	---	---	6/28	
58. YUBA	5/20	5/24	---	---	6/21	